

**LOWELL CITY COUNCIL MINUTES
REGULAR COUNCIL MEETING & VIRTUAL MEETING
MARCH 16 - 6:30PM**

INVOCATION: Bethany Rosenbaum, Council Member

PLEDGE OF ALLEGIANCE: Mayor Chris Moore

CALL TO ORDER OF REGULAR COUNCIL MEETING: The Regular Meeting of the Lowell City Council was called to order at 6:32pm by **Mayor Chris Moore** at the Lowell Council Chambers.

ROLL CALL: Mayor Chris Moore asked the City Clerk for a verbal roll call. Council Members present were Steve Whitehead, Bethany Rosenbaum, Bill Adams, Lisa DeGifford, Chasity Taylor, David Adams. Eric Schein and Kendell Stucki were absent. Deputy Attorney Kieklak was present, also. There was quorum. A roster of all others in attendance is on file with these minutes.

CONSENT AGENDA:

**Lowell City Council Minutes Regular Meeting – February 16, 2021
Financial Statement – February 2021**

Motion to approve the Consent Agenda.

Motion: Bill Adams

Second: Chasity Taylor

Vote Aye: B. Adams, D. Adams, Taylor, Rosenbaum, DeGifford, Whitehead

Vote Nay: None

Motion to approve Consent Agenda approved.

PRPRESENTATION: Karen Davis was presented with a 10-year attendance plaque. Karen introduced co-worker, Lisa Groepert, Planning Coordinator.

PUBLIC FORUM: Open: 6:35PM Close: 6:38PM

Joe Rhengans asked the council to consider modifying ordinance to include sandwich standing signage.

MOTION TO AMEND AGENDA AND REMOVE ITEM 7 (RESIDENTIAL TRASH SERVICE BIDS) AND ADD AN ORDINANCE ADOPTING A REVISED ZONING MAP FOR OTHER PURPOSES AND DECLARING AN EMERGENCY)

Motion: Lisa DeGifford

Second: David Adams

Vote Aye: B. Adams, D. Adams, Taylor, Rosenbaum, DeGifford, Whitehead

Vote Nay: None

MOTION TO AMEND AGENDA AND REMOVE ITEM 7 (RESIDENTIAL TRASH SERVICE BIDS) AND ADD AN ORDINANCE ADOPTING A REVISED ZONING MAP FOR OTHER PURPOSES AND DECLARING AN EMERGENCY) approved.

APPEAL PLANNING COMMISSIONERS' DENIAL OF CONDITIONAL USE PERMIT

Timothy Adams asked the City Council to grant his request to be able to repair firearms at his residence. During his appeal, it was noted that his present request was not the same as the one he gave the Planning Commission. Council Members sent his request back to the Planning Commission to make sure the discrepancies are worked out by the Commissioners.

Karen Davis stated gunsmithing in neighborhood is not listed in table of uses and staff denied his request.

Police Chief stated this was a safety issue. Police were sure to be called to investigate any firing of a gun in the neighborhood. Discharging firearms in neighborhoods is not appropriate.

Motion to return the appeal to the Planning Commission.

Motion: David Adams

Second: Chasity Taylor

Vote Aye: B. Adams, DeGifford, Taylor, Rosenbaum, D. Adams, Whitehead

Vote Nay: None

Motion to return the appeal to the Planning Commission was approved.

PROCEDURAL MOTION TO DISPENSE WITH THE RULE AND READ ALL ORDINANCES ONE TIME BY TITLE ONLY.

Motion to approve procedural motion.

Motion: Lisa DeGifford

Second: David Adams

Vote Aye: B. Adams, D. Adams, Taylor, Rosenbaum, DeGifford, Whitehead

Vote Nay: None

Motion to approve procedural motion approved.

OLD BUSINESS:

1. **RESOLUTION APPROVING AND ADOPTING AN UPDATED OVERTIME POLICY FOR THE FIRE FIGHTERS AND POLICE OFFICERS IN LOWELL, TO BE SECTION 4.5.1.1 OF THE PERSONNEL POLICY MANUAL FOR THE CITY OF LOWELL, ARKANSAS.**

Mayor stated this item would stay in place.

NEW BUSINESS:

1. **ORDINANCE AMENDING THE CITY OF LOWELL CODE OF ORDINANCES, SECTION 16-50, BY REZONING CERTAIN LANDS FROM URBAN THROUGHFARE COMMERCIAL (C-2) TO URBAN NEIGHBORHOOD (R-3).**

This item was removed from the agenda by Jason Apple, Engineer, prior to the meeting.

2. **ORDINANCE AMENDING THE CITY OF LOWELL CODE OF ORDINANCES TO REMOVE CERTAIN AMENDMENTS TO THE STATE FIRE PROTECTION CODE AND FOR OTHER PURPOSES.**

The City of Lowell recently adopted revisions of the Lowell code development, modifying some building code sections. The changes made resulted in a contradiction regarding certain code sections which were the result of an amendment to the state fire code and these amendments are no longer necessary and should be removed to avoid delay and confusion to the community of builders who do business within City of Lowell.

Motion to approve Ordinance.

Motion: Bill Adams

Second: Steve Whitehead

Vote Aye: D. Adams, Rosenbaum, B. Adams, DeGifford, Taylor, Whitehead

Vote Nay: None

Motion to approve Ordinance passed.

City Clerk read Ordinance one time by title only.

Ordinance assigned No. 1076.

3. **RESOLUTION APPROPRIATING FUNDS FOR THE PURCHASE AND INSTALLATION OF A NEW BACK-UP GENERATOR FOR CITY HALL FROM THE GENERAL FUND RESERVES DURING THE FISCAL YEAR OF 2021.**

Because the Lowell City Hall generator was damaged beyond repair, there is a need for the purchase of a new back-up generator for City Hall in the City of Lowell, Arkansas.

Motion to approve Resolution.

Motion: Bethany Rosenbaum

Second: David Adams

Vote Aye: D. Adams, Taylor, Rosenbaum, DeGifford, B. Adams, Whitehead

Vote Nay: None

Motion to approve Resolution passed.

Resolution assigned No. 21-06

4. RESOLUTION APPROPRIATING GRANT FUNDING TO BE TRANSFERRED FROM THE GENERAL FUND RESERVES FOR MEDICAL EQUIPMENT AND FIRE EQUIPMENT.

The City of Lowell has received grant funds to be used in support of fire protection and ambulance services.

Motion to approve Resolution.

Motion: Bill Adams

Second: Lisa DeGifford

Vote Aye: Rosenbaum, D. Adams, Whitehead, B. Adams, DeGifford, Taylor

Vote Nay: None

Motion to approve Resolution passed.

Resolution assigned No. 21-07

Motion to amend the agenda and approve Emergency Clause.

Motion: Lisa DeGifford

Second: David Adams

Vote Aye: D. Adams, Taylor, Rosenbaum, DeGifford, Whitehead

Vote Nay: B. Adams

Motion to amend the agenda and approve Emergency Clause passed.

5. RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF LOWELL, ARKANSAS TO ACCEPT A BID FROM AND ENTER INTO AN AGREEMENT WITH HUTCHENS CONSTRUCTION COMPANY FOR STREET IMPROVEMENTS IN THE CITY OF LOWELL, ARKANSAS.

Lowest and best bid was submitted by Hutchens Construction. It will be used for street improvements such as installation of asphalt with curb milling and applying crack seal to city streets.

Motion to approve Resolution.

Motion: Lisa DeGifford

Second: Chasity Taylor

Vote Aye: D. Adams, Rosenbaum, Taylor, Whitehead, Adams, DeGifford

Vote Nay: None

Motion to approve Resolution approved.

Resolution assigned 21-08

6. RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF LOWELL, ARKANSAS TO ACCEPT A BID FROM AND ENTER INTO AN AGREEMENT WITH INOVATIVE ROADWAY SOLUTIONS, LLC FOR THE ONYX MASTIC SURFACE SEAL FOR LOWELL STREET IMPROVEMENTS.

The lowest and best bid was submitted by Inovative Roadway Solutions, LLC to perform the Onyx Mastic Surface Seal for the Lowell Street Improvement.

Motion to approve Resolution.

Motion: David Adams

Second: Steve Whitehead,

Vote Aye: Rosenbaum, D. Adams, Whitehead, B. Adams, DeGifford Taylor

Vote Nay: None

Motion to approve Resolution approved.

Resolution assigned No. 21-09

7. AN ORDINANCE ADOPTING A REVISED ZONING MAP FOR OTHER PURPOSES AND DECLARING AN EMERGENCY.

A comprehensive revision of the Lowell Zoning Map was created by Crafton Tull consultants. Revisions were made to correct the improper zoning of three parcels. A public hearing was held and the Planning Commission recommended adoption of the amended Zoning Map.

Motion to approve Ordinance.

Motion: David Adams

Second: Bill Adams

Vote Aye: Rosenbaum, D. Adams, Whitehead, B. Adams, DeGifford, Taylor

Vote Nay: None

Motion to approve Ordinance approved.

City Clerk read the Ordinance by title only one time.

Ordinance assigned No. 1077.

Motion to approve Emergency Clause.

Motion: Lisa DeGifford

Second: Steve Whitehead

Vote Aye: Whitehead, DeGifford, D. Adams, B. Adams, Taylor, Rosenbaum

Vote Nay: None

Motion to approve Emergency Clause approved.

ANNOUNCEMENTS: Mike Maloney, Director of the A&P Commission, announced that the next project is to showcase the works of various artists in the City of Lowell. The A&P is doing a study with the U of A and looking for a location for building a ball field. The A&P meet the fourth Thursday of each month.

March 30, 2021 750 Pizer vaccines will be given by appointment only. Only Group 1A, 1B and 1C will be given. Shots will be administered by Collier Drug and Lowell Fire Department paramedics.

ADJOURNMENT: Motion to adjourn by Bill Adams and second by David Adams. There being no objections, the meeting adjourned at 7:37pm.

ATTEST:


City Clerk/Elizabeth Estes



APPROVED:


Mayor/Chris Moore